

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: MICHAEL & MARGARET THOMAS

CASE NO: 13-11434

CERTIFICATE OF SERVICE

I, R. Gawyn Mitchell, Attorney for the Debtors do hereby certify that I have this day either mailed, a true and correct copy by United States mail, postage prepaid or electronically mailed through ECF, a copy of the attached amended plan to all creditors and parties in interest listed on the master mailing list (matrix) and to the following:

Terre M. Vardaman
VARDAMAN13ECF@gmail.com

U.S. Trustee
USTPRegion05.AB.ECF@usdoj.gov

DATED: June 3, 2013

/s/ R. Gawyn Mitchell
R. GAWYN MITCHELL
Attorney at Law

R. GAWYN MITCHELL, P.A.
112 5th Street South
Post Office Box 1216
Columbus, MS 39703-1216
(662) 327-3344

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: MICHAEL & MARGARET THOMAS
DEBTORS**

**CASE NO. 13-11434
CHAPTER 13**

NOTICE

YOU ARE HEREBY NOTIFIED that a written response to the attached amended plan must be filed with:

David J. Puddister, Clerk of Court
Cochran U.S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39703-0867

and a copy must be served on the undersigned Debtors' attorney and the Chapter 13 trustee on or before twenty-one (21) days from the date of this notice. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

DATE: June 3, 2013

CHAPTER 13 STANDING TRUSTEE
Terre M. Vardaman
P.O. Box 1326
Brandon, MS 39043
VARDAMAN13ECF@gmail.com

/s/ R. Gawyn Mitchell
ATTORNEY FOR DEBTORS
P.O. Box 1216
Columbus, MS 39703-1216
Telephone No: (662) 327-3344

**AMENDED CHAPTER 13 PLAN
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

CASE NO: 13-11434
Median Income: ☐ Above ☒ Below

Debtor Michael Thomas SS#XXX-XX- 9704 Current Monthly Income \$ 1,066.00

Jt. Debtor Margaret Thomas SS#XXX-XX- 6990 Current Monthly Income \$ 674.00

Address 303 Tea Garden, Starkville, MS 39759 No. of Dependents 0

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of 48 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

- (A) Debtor shall pay \$ 177.00 per (☒ monthly, ☐ semi-monthly, ☐ week, or ☐ bi-weekly) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

Debtor because debtor

receives Disability

- (B) Joint Debtor shall pay \$ _____ per (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS. Filed claims that are not disallowed to be paid in full or as ordered by the Court as follows:
Internal Revenue Service: \$ _____ @ \$ _____ /mo

MS Dept. of Revenue: \$ _____ @ \$ _____ /mo Other/ _____ : \$ _____ @ \$ _____ /mo

DOMESTIC SUPPORT OBLIGATIONS. DUE TO:

POST PETITION OBLIGATION: In the amount of \$ _____ per month beginning _____.
To be paid ☐ direct, ☐ through payroll deduction, or ☐ through the plan.

PRE-PETITION ARREARAGE: In the amount of \$ _____ which shall be paid in the amount of \$ _____ per month.
To be paid ☐ direct, ☐ through payroll deduction, or ☐ through the plan.

HOME MORTGAGES. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party of interest, the plan will be amended consistent with the proof of claim filed herein, subject to the state date for the continuing monthly mortgage payment proposed herein

MTG PMTS TO: _____ BEGINNING _____ @ \$ _____ () PLAN () DIRECT

MTG PMTS TO: _____ BEGINNING _____ @ \$ _____ () PLAN () DIRECT

MTG PMTS TO: _____ BEGINNING _____ @ \$ _____ () PLAN () DIRECT

MTG ARREARS TO: _____ THROUGH _____ \$ _____ @ \$ _____ /MO

MTG ARREARS TO: _____ THROUGH _____ \$ _____ @ \$ _____ /MO

MTG ARREARS TO: _____ THROUGH _____ \$ _____ @ \$ _____ /MO

MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____

Property Address: _____ Are related taxes and/or insurance escrowed ☐ Yes ☐ No

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____

Property Address: _____ Are related taxes and/or insurance escrowed ☐ Yes ☐ No

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>910* CLM</u>	<u>APPROX. AMT. OWED</u>	<u>VALUE</u>	<u>INT. RATE</u>	<u>TOTAL AMT. TO BE PAID</u>	<u>MONTHLY PAYMENT</u>
Tower Loan	03 Silverado & NPM-NE		\$2,550.92	\$2595.00	7%	\$2,932.08	\$61.08
Republic Finance	NPM (Non-Exempt)		\$1,135.94	\$250.00	7%	\$287.89	\$5.99
* W.S. Badcock	42' TV & Mattress Set		\$1,227.05	\$500.00	7%	\$1,410.40	\$29.38
_____	_____	_____	_____	_____	____%	_____	_____
_____	_____	_____	_____	_____	____%	_____	_____
_____	_____	_____	_____	_____	____%	_____	_____

*The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL OR TYPE OF DEBT</u>	<u>APPROX. AMT. OWED</u>	<u>PROPOSAL TO BE PAID</u>
Credit Acceptance	2006 Ford F-150	\$10,217.80	SURRENDER & PAY 0
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

<u>CREDITOR'S NAME</u>	<u>APPROX. AMT. OWED</u>	<u>CONTRACTUAL MO. PMT.</u>	<u>PROPOSED TREATMENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SPECIAL PROVISIONS which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:

The Individual plan payments to creditors shall constitute adequate protection payments to Creditors pursuant to this Court's standing order.

GENERAL UNSECURED CLAIMS total approximately \$ 12,258.55. Such claims must be *timely filed* and not disallowed to receive payment as follows: _____ IN FULL (100%), 0 % (percent) MINIMUM, or a total distribution of \$ 0.00, with the Trustee to determine the percentage distribution. ***Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.***

****Debtors will pay 0 to all unsecured creditors whose claims are unenforceable because they are barred by statute of limitations.**

Total Attorney Fees Charged \$ 3,000.00

Pay administrative costs and debtor's attorney fees pursuant to Court Order and/or local rules.

Attorney Fees Previously Paid \$ 4.00

Attorney fees to be paid through the plan \$ 2,996.00

Name/Address/Phone # of Vehicle Insurance Co./Agent

Attorney for Debtor (Name/Address/Phone #/Email)

**R. GAWYN MITCHELL
P.O. BOX 1216
COLUMBUS, MS 39703
Telephone 662-327-3344**

Telephone/Fax _____

DATE: 06/03/13

DEBTOR'S SIGNATURE /s/ Michael Thomas

JOINT DEBTOR'S SIGNATURE /s/ Margaret Thomas

ATTORNEY SIGNATURE /s/ R. Gawyn Mitchell

Label Matrix for local noticing
0537-1
Case 13-11434-JDW
Northern District of Mississippi
Aberdeen
Mon Jun 3 11:31:06 CDT 2013

Citifinancial
P.O. Box 183015
Columbus, OH 43218-3015

R. Gawyn Mitchell
P.O. Box 1216
Columbus, MS 39703-1216

Recovery Management Systems Corporation
25 SE 2nd Ave, Suite 1120
Miami, FL 33131-1605

Republic Finance Bankruptcy Center
7535 Airways Blvd Ste 210
Southaven, Ms 38671-5809

Margaret Thomas
303 Tea Garden
Starkville, MS 39759-5056

U. S. Trustee
501 East Court Street, Suite 6-430
Jackson, MS 39201-5022

CB&S Bank
303 Hwy 12 West
Starkville, MS 39759-3632

Credit Acceptance
25505 W 12 Mile Rd Suite 3000
Southfield MI 48034-8331

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

John S. Simpson
Simpson Law Firm, P. A.
Post Office Box 1410
Ridgeland, MS 39158-1410

Michael Thomas
303 Tea Garden
Starkville, MS 39759-5056

Terre M. Vardaman
P. O. Box 1326
Brandon, MS 39043-1326

Care Credit
P.O. Box 960061
Orlando, FL 32896-0061

Credit Acceptance Corp.
c/o Larry Spencer, Esq.
P.O. Box 123
P.O. Box 123
Jackson, MS 39205-0123

Quantum3 Group LLC as agent for
Comenity Capital Bank
PO Box 788
Kirkland, WA 98083-0788

Republic Finance
P.O. Box 731
Starkville, MS 39760-0731

Larry Spencer
King & Spencer
235 E. Capitol St.
P.O. Box 123
Jackson, MS 39205-0123

(p) TOWER LOAN
P O BOX 320001
FLOWOOD MS 39232-0001

(p) W S BADCOCK
P O BOX 232
MULBERRY FL
33860-0232

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Tower Loan
P.O. Box 1261
Starkville, MS 39759

(d) Tower Loan
P.O. Box 1261
Starkville, MS 39759

(d) Tower Loan
P.O. Box 320367
Flowood, MS 39232-0367

W. S. Badcock, Corp.
P. O. Box 232
Mulberry, FL 33860

(d) W. S. Badcock, Corp.
P. O. Box 232
Mulberry, FL 33860

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Credit Acceptance
25505 W 12 Mile Rd., Ste. 3000
Southfield, MI 48034-8331

(d)Republic Finance
P.O. Box 731
Starkville, MS 39760-0731

End of Label Matrix	
Mailable recipients	20
Bypassed recipients	2
Total	22